



ocket No: 368-014

PATENT #10  
n.n  
5/1/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Kinam Park et al.

Serial No: 09/975,800

Art Unit: 1617

Filed: October 11, 2001

Examiner: E. Webman

For: PHARMACEUTICAL APPLICATIONS:  
OF HYDROTROPIC AGENTS, POLYMERS :  
THEREOF AND HYDROGELS THEREOF :

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APR 25 2003

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Restriction Requirement mailed February 12, 2003. The petition and fee for a one-month extension of time are forwarded herewith.

Applicants hereby elect with traverse claim set II (claims 8-20) for prosecution. The elected claims are drawn to hydrotropic polymers or copolymers and hydrogels of the present invention. This election is made with traverse inasmuch as the claimed subject matter sets forth that the elected compounds are capable of increasing water solubility of a poorly soluble drug. Accordingly, concurrent examination of those claims relating to utilization of the elected compounds in pharmaceutical

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U.S. Serial No. 09/975,800

compositions (claim sets I and III) should not be unduly burdensome inasmuch as it would presumably be nearly coextensive. Similarly, concurrent examination of method of forming claims 28 and 30 (identified as falling within claim set IV) would not be unduly burdensome.

The Restriction Requirement further required an election of species/subgenus of certain dependent claims within claim set II, in the event of its election. Accordingly, the following elections are made with traverse:


- Claim 9: the elected hydrophobic moiety is "substituted and unsubstituted nitrogen heterocycles";
- Claim 10: the elected arrangement of monomer units is "random";
- Claim 14: the elected hydrotropic agent monomer unit is polymerizable derivatives of "N-substituted nicotinamide";
- Claim 15: the elected hydrotropic agent monomer unit is vinyl derivatives of "N-picolyl<sup>1</sup>nicotinamide"; and
- Claim 17: the elected poorly soluble drug is "paclitaxel".

The above elections are made with traverse because concurrent examination of other recited members of the respective Markush groups would not be unduly burdensome.

U.S. Serial No. 09/975,800


If, in the opinion of the Examiner, a telephone conversation could expedite prosecution, the Examiner is invited to telephone the undersigned at the number given below.

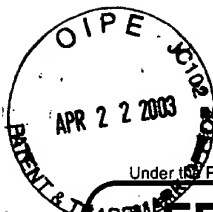
Respectfully submitted,

  
James H. Meadows, Ph.D.  
Reg. No. 33,965

Correspondence Address  
2804 Kentucky Ave.  
Joplin MO 64804  
Tel: 417-781-9965  
Fax: 503-217-9394

**CERTIFICATE OF MAILING**

I, James H. Meadows, hereby certify that this correspondence is being deposited on April 14, 2003 with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450  
Signature:  (James H. Meadows)



PTO/SB/17 (01-03)  
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55

Complete if Known

Application Number 09/975,800  
Filing Date 10/11/2001  
First Named Inventor K. Park  
Examiner Name Webman  
Art Unit 1617  
Attorney Docket No. 368-014

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$)			55

## SUBMITTED BY

Name (Print/Type) James H. Meadows Registration No. 33,965 Telephone 417-781-9965  
Signature *JH Meadows* Date 4/14/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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